

## CLASSIFICATION OFFICE DECISION

**Title of publication:** Young\_girls\_having\_fun\_after\_school\_Teenage\_Tube.flv

**Other known title(s):** Not stated

**OFLC ref:** 1300427.000

**Medium:** Computer Moving Image File

**Director:** Not stated

**Producer:** Not stated

**Country of origin:** Not stated

**Language:** English

**Applicant:** Secretary for Internal Affairs

<b>Classification:</b>	Objectionable.
------------------------	----------------

**Excisions:** No excisions recommended

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 30 May 2013

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 30 May 2013

	Components	Running time
<b>Timed component(s):</b>	Young_girls_having_fun_after_school_Teenage_Tube.flv	3:56
<b>Total running time:</b>		3:56

**Summary of reasons for decision:**

This publication is a sexually explicit computer moving image file that promotes and supports the exploitation of young persons for sexual purposes under s 3(2)(a) of the Films, Videos, and Publications Classification Act 1993. The girls' youthfulness is evident in their immature physical development, youthful mannerisms and the inexperienced way in which they engage in the sexual activity. The girls' actions appear to be choreographed and/or directed. The publication is clearly contrived to portray sexual activity in the context of child's play between children. The publication is intended to be sexually arousing and provide sexual entertainment for those with a prurient interest in young girls. This publication therefore promotes and supports the exploitation of young persons for sexual purposes and is objectionable.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The right to freedom of expression has been balanced against the potential harms and the restriction that aims to mitigate this harm is seen as proportional. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.